

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

RESIDENTIAL CAPITAL, LLC, et al.,

Debtors.

Case No. 12-12020 (MG)

Chapter 11

Jointly Administered

Objection Date: February 23, 2023@ 4:00 p.m. (ET)

Hearing Date: March 2, 2023@ 10:00 a.m. (ET)

**PLAINTIFFS' *CORRECTED* NOTICE OF MOTION TO PERMIT FINAL
DISTRIBUTION OF FUNDS IN THE *ROTHSTEIN* CLASS ACTION SETTLEMENT
(CLAIM NOS. 4074 AND 3966) AND *CY PRES* DESIGNATION**

Plaintiffs' Notice of Motion to Permit Final Distribution of Funds in the *Rothstein* Class Action Settlement (Claim Nos. 4074 and 3966) and *Cy Pres* Designation [Doc. 10745] and its Certificate of Service [Doc. 10746] were incorrectly filed on January 10, 2023 without a hearing date set. This *Corrected* Notice of Motion to Permit Final Distribution of Funds in the *Rothstein* Class Action Settlement (Claim Nos. 4074 and 3966) and *Cy Pres* Designation and supporting documents [Doc. 10747] now include a hearing and objection date.

PLEASE TAKE NOTICE that upon the accompanying *Corrected* memorandum of law and the Affidavit of Jay Geraci dated December 21, 2022, each of which is filed concurrently herewith, and all prior proceedings in this action, the Rothstein Plaintiffs, on behalf of the Class, respectfully move for entry of an Order (the "Final Distribution Order") pursuant to Rule 60(b) of the Federal Rules of Civil Procedure, approving the distribution of the remaining settlements funds to the *cy pres* designee selected by Class Counsel in consultation with the Rothstein Plaintiffs.¹

¹ All capitalized terms not otherwise defined shall have the meanings ascribed to them in the Stipulation and Agreement of Settlement with the Rothstein Plaintiffs, dated December 29, 2015 (the "Stipulation"), attached as Exhibit 1 to the Declaration of Mark A. Strauss dated January 11, 2016, and which was filed with the Court on January 11, 2016 [Doc. 9491-3].

A proposed Final Distribution Order is filed herewith for the Court's consideration.

Original Filed On: January 10, 2023
Corrected Filed On: February 8, 2023
New York, NY

Respectfully Submitted,

KIRBY McINERNEY LLP

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